

ALPHABETICAL INDEX  
CITY COUNCIL MEETING  
SEPTEMBER 24, 2013

Subject

	<u>Page</u>
Adjournment .....	11
Additions, Deletions or Withdrawals .....	1
Approval of Minutes (Tab A) .....	2
Authorization for Expenditure from the Law Enforcement Trust Fund to be Utilized for Training (Tab B) .....	3
Biscayne Landing Environmental Update and Discussion (Tab Q).....	10-11
Citizens' Forum .....	2
City Attorney (NONE) .....	11
City Clerk (NONE) .....	11
City Events.....	2
City Manager (NONE) .....	11
Consent Agenda.....	2-3
Council Reports .....	11
Flag Salute .....	1
Hurricane Preparedness .....	2
Inspirational Message .....	1
Legislative Matters .....	7-10
Ordinances – First Reading .....	7-10
Proposed Ordinance (First Reading) Adopting a Small Scale Land Use Plan Amendment to the Future Land Use Map for a Property Consisting of Approximately 4.24 Acres in Size and Located at 1850 NE 123 <sup>rd</sup> Street from Commercial Land Use Designation, in Order to Allow for the Proposed Redevelopment Of the Vacant Property Site; and Further Authorizing the City Manager to do all Things Necessary to Effectuate the Subject Small Scale Land Use Plan Amendment, as Required by Florida Law (Tab L) .....	7
Proposed Ordinance (First Reading) Amending Chapter 2 to Update, Organize and Clarify Specific Sections of the Chapter, Including Substantive Legal, Stylistic and Organizational Changes, While Providing Consistent Use of Terms and Correction of Scrivener's Errors (Tab P) .....	10

## ALPHABETICAL INDEX

September 24, 2013

Page 2

<u>Subject</u> .....	<u>Page</u>
Proposed Ordinance (First Reading) Amending Chapter 29 “Land Development Regulations”, Amending the Official Zoning Map Referenced in Article 1, Section 1-106, to Reflect The Rezoning of a Property Consisting of Approximately 4.24 Acres in Size, Located at 1850 NE 123 <sup>rd</sup> Street, From the Current C2BE (Commercial) Zoning Designation to PD (Planned Development) Zoning Designation (Tab F) .....	4-5
Proposed Ordinance (First Reading) Amending Chapter 29 “Land Development Regulations”, Amending the Official Zoning Map Referenced in Article 1, Section 1-106, to Reflect The Rezoning of the Newly Annexed Properties Bordered on The West-Side by the Biscayne Canal, on the East-Side by NE 4 <sup>th</sup> Avenue, on the South-Side by NE 131 <sup>st</sup> Street and on the North-Side by NE 135 <sup>th</sup> Street (Otherwise Known as “Area 3”) In Order to Assign Appropriate Zoning Categories that are Consistent with the Land Development Regulations and the Comprehensive Plan (Tab M).....	8-9
Proposed Ordinance (First Reading) Amending the Comprehensive Plan Pursuant to Chapter 163 Florida Statutes by Updating the Future Land Use Map in Order to Assign Appropriate Land Use Categories to Newly Annexed Properties in an Area Bordered on The West-Side by the Biscayne Canal, on the East-Side by NE 4 <sup>th</sup> Avenue, on the South-Side by NE 131 <sup>st</sup> Street and on the North-Side by NE 135 <sup>th</sup> Street (Otherwise Known as “Area 3”) Further Authorizing the Transmittal of the Comprehensive Plan Amendment to the Florida Department of Economic Opportunity And all Other Review Agencies as Required Under Section 163.3184, Florida Statutes (Tab N) .....	8, 9
Proposed Ordinance (First Reading) Amending Chapter 29 “Land Development Regulations”, Amending Article 4 Division 3 “Non-Residential Districts” Section 4-302 “Uses Permitted” to Establish “Recreation/Entertainment, Outdoor” as a Special Exception Use in the M-1 Zoning District, to Foster Economic Growth Consistent with the Comprehensive Plan (Tab O) .....	9-10



## ALPHABETICAL INDEX

September 24, 2013

Page 3

<u>Subject</u> .....	<u>Page</u>
Proposed Resolution Appointing Commissioner Kenneth Each as Chair and Commissioner Dana Magloire-Fenelon, Esquire as Vice Chair to the North Miami Housing and Development Authority (Tab C) .....	3, 3-4
Proposed Resolution Approving the Submittal of Grant Applications And Authorizing the City Manager and City Attorney to Negotiate And Execute Grant, Landscape Construction and Maintenance Agreements with the Florida Department of Transportation for Florida Highway Beautification Council Grants (Tab D) .....	3
Proposed Resolution Authorizing the Appointment of Kathleen Achille, Esquire, as Special Magistrate for Code Enforcement Proceedings And Authorizing the City Manager and City Attorney to Execute a One Year Letter of Agreement (Tab E).....	3, 4
Proposed Resolution Authorizing the City Manager to Issue Purchase Orders in the Amount of \$110,136.25, Per Year for a Period of 5 Years To Musco Sports Lighting, LLC, for the Lease-Purchase and Installation of Sports Lighting Equipment at Cagni Park North (Tab G).....	5
Proposed Resolution Authorizing the City Manager to Execute the Fourth Option to Renew Professional Services Agreement with Brown & Brown of Florida, Inc, D/B/A TR Jones & Company To Continue to Provide Excess Workers' Compensation Insurance Coverage for One Additional Year at a Cost Not to Exceed \$125,770.00 (Tab H).....	5-6
Proposed Resolution Authorizing the City Manager to Execute the Fourth Option to Renew Professional Services Agreement with Risk Management Associates, Inc, D/B/A Public Risk Insurance Agency To Continue to Provide Uninterrupted Public Official Liability Insurance Coverage for One Additional Year at a Cost Not to Exceed \$104,303.00 (Tab I) .....	6
Proposed Resolution Establishing and Adopting a Retirement Incentive Plan for Eligible Employees and Authorizing the City Manager to Take all Necessary Steps to Effectuate the Plan (Tab J).....	6-7
Proposed Resolution Memorializing Certain Financial Allocations of Revenue Derived from the Biscayne Landing	

<u>Subject</u> .....	<u>Page</u>
Lease Proceeds (Tab K).....	7
Public Hearings – Ordinances, Resolutions, Zoning, Land Use Items, Etc. ....	6-11
Quasi-Judicial Item(s).....	6-7
Requests – Petitions – Communications .....	10-11
Resolutions .....	5-7
Roll Call .....	1
Special Presentations .....	1-2



**SUMMARY MINUTES**  
**REGULAR COUNCIL MEETING**

**September 24, 2013**

A regular meeting of the North Miami City Council was held in the Council Chambers of City Hall on Tuesday, September 24, 2013, beginning at 7:09 p.m.

(Phonetic spelling of each speaker's name may be used throughout the minutes unless correct spelling is known.)

Note: The actual agenda and all backup materials for each City Council meeting can be found on the website at: [www.northmiamifl.gov](http://www.northmiamifl.gov)

Flag salute led by McCory Innocent, PAL

Inspirational Message

♦ *Pastor Edith Pascal*

**ROLL CALL**

Vice Mayor Galvin	Here
Mayor Tondreau	Here
Councilman Bien-Aime	Here
Councilwoman Keys	Here
Councilwoman Steril	Arrived at 7:29 pm

**Additions, Deletions or Withdrawals**

Tab F, removed at petitioner's request  
Tab L, removed at petitioner's request  
Tab N, moved before Tab M  
Special Presentation regarding Biscayne Landing at Tab Q

**SPECIAL PRESENTATION(s)**

♦ Recognition in honor of *National Hispanic Heritage Month*

Mayor Tondreau recognized Major AnnMarie Cardona, *National Hispanic Heritage Month Committee*, giving a brief history of *National Hispanic*

*Heritage Month.* Mayor Tondreau presented the *National Hispanic Heritage Month Committee* with a Certificate of Recognition. Mayor Tondreau recognized sponsors, Borinquen Medical Centers, El Kiosko Latin Café, Mr. Trophy and Puerto Rican Chamber of Commerce, with a Certificate of Appreciation.

- ◆ Recognition of “*Employee of the Quarter - Summer 2013* ,” *Lola Heasley, Parks Naturalist, Parks & Recreation Department*

Mayor Tondreau recognized Jeff Geimer, Parks and Recreation Director; presenting Employee of the Quarter plaque to *Lola Heasley, Parks Naturalist, Parks & Recreation Department.*

- ◆ Biscayne Landing Environmental Update and Discussion regarding Tab Q by *Joe Celestin*

See Tab Q.

## **CITY EVENTS – ANNOUNCEMENT**

Pam Solomon, Public Information Manager, announced upcoming events for the City of North Miami. Ms. Solomon advised all city events can be found on the website at: [www.northmiamifl.gov/celebrate](http://www.northmiamifl.gov/celebrate)

## **HURRICANE PREPAREDNESS**

Mayor Tondreau recognized Dr. Lumane Pluviose-Claude, Deputy City Manager; giving a brief report to Council.

## **CITIZENS’ FORUM**

A variety of residents spoke on issues of interest.

## **CONSENT AGENDA**

Councilwoman Keys requested discussion on Tab C and Tab E, seconded by Vice Mayor Galvin.

## **TAB A - APPROVAL OF MINUTES**

- Regular Council Meeting – September 10, 2013
- 1<sup>st</sup> Budget Hearing – September 11, 2013



**TAB B – AUTHORIZATION FOR EXPENDITURE FROM THE LAW ENFORCEMENT TRUST FUND TO BE UTILIZED FOR TRAINING**

**TAB C – PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPOINTING COMMISSIONER KENNETH EACH AS CHAIR AND COMMISSIONER DANA MAGLOIRE-FENELON, ESQ., AS VICE-CHAIR TO THE NORTH MIAMI HOUSING AND DEVELOPMENT AUTHORITY, IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 421, FLORIDA STATUTES; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES**

**TAB D – PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE SUBMITTAL OF GRANT APPLICATIONS AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE GRANT, LANDSCAPE CONSTRUCTION AND MAINTENANCE AGREEMENTS BETWEEN THE CITY OF NORTH MIAMI AND THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR FLORIDA HIGHWAY BEAUTIFICATION COUNCIL GRANTS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES**

**TAB E – PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE APPOINTMENT OF KATHLEEN ACHILLE, ESQ., AS SPECIAL MAGISTRATE FOR CODE ENFORCEMENT PROCEEDINGS AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO EXECUTE A ONE (1) YEAR LETTER OF AGREEMENT WITH THE SPECIAL MAGISTRATE, IN SUBSTANTIALLY THE ATTACHED FORM; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES**

Mayor Tondreau moved to approve the Consent Agenda, Tab A, Tab B and Tab D, minus Tab C and Tab E, seconded by Vice Mayor Galvin; passed unanimously.

**TAB C – PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPOINTING COMMISSIONER KENNETH EACH AS CHAIR AND COMMISSIONER DANA MAGLOIRE-FENELON, ESQ., AS VICE-CHAIR TO THE NORTH MIAMI HOUSING AND DEVELOPMENT**



**AUTHORITY, IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 421, FLORIDA STATUTES; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES**

Michael Etienne, Esquire, City Clerk read the Resolution title for the record. Council discussion. Regine Monestime, City Attorney, gave a brief report to Council. Council discussion. Councilwoman Steril moved to approve the Resolution, seconded by Vice Mayor Galvin; passed unanimously, by roll call vote.

**TAB E – PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE APPOINTMENT OF KATHLEEN ACHILLE, ESQ., AS SPECIAL MAGISTRATE FOR CODE ENFORCEMENT PROCEEDINGS AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO EXECUTE A ONE (1) YEAR LETTER OF AGREEMENT WITH THE SPECIAL MAGISTRATE, IN SUBSTANTIALLY THE ATTACHED FORM; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES**

Mr. Etienne read the Resolution title for the record. Council discussion. Ms. Monestime gave a brief report to Council. Council discussion. Councilwoman Steril moved to approve the Resolution, seconded by Mayor Tondreau; passed 4-1, by roll call vote. Vice Mayor Galvin denied.

**PUBLIC HEARINGS – RESOLUTIONS, ORDINANCES, ZONING, LAND USE ITEMS, ETC.**

**QUASI-JUDICIAL ITEM(S)**

**TAB F - PROPOSED ORDINANCE (FIRST READING) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED “LAND DEVELOPMENT REGULATIONS”, BY AMENDING THE CITY OF NORTH MIAMI OFFICIAL ZONING MAP REFERENCED IN ARTICLE 1, SECTION 1-106, TO REFLECT THE REZONING OF A PROPERTY CONSISTING OF APPROXIMATELY 4.24 ACRES IN SIZE, LOCATED AT 1850 NORTHEAST 123RD STREET, FROM THE CURRENT C2BE (COMMERCIAL) ZONING DESIGNATION TO PD (PLANNED DEVELOPMENT) ZONING DESIGNATION, IN ORDER TO PROVIDE CONSISTENCY WITH THE LAND DEVELOPMENT REGULATIONS, IN ACCORDANCE WITH THE INTENT OF THE COMPREHENSIVE PLAN**



**OF THE CITY OF NORTH MIAMI; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.**

Removed at petitioner's request, no action taken.

**RESOLUTIONS**

**TAB G – PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER TO ISSUE PURCHASE ORDERS, IN THE AMOUNT OF ONE HUNDRED TEN THOUSAND ONE HUNDRED THIRTY-SIX DOLLARS AND TWENTY-FIVE CENTS (\$110,136.25) PER YEAR, FOR A PERIOD OF FIVE (5) YEARS, TO MUSCO SPORTS LIGHTING, LLC, FOR THE LEASE-PURCHASE AND INSTALLATION OF SPORTS LIGHTING EQUIPMENT AT CAGNI PARK NORTH, PIGGYBACKING A COMPETITIVE BID AWARD ISSUED UNDER ‘RFP NO. 08/09-3 VARIOUS EQUIPMENT AND AMENITIES FOR PARKS AND PLAYGROUNDS’ BY THE BOARD OF COUNTY COMMISSIONERS, CLAY COUNTY, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES**

Mr. Etienne read the Resolution title for the record. Councilwoman Steril moved to approve the Resolution, seconded by Mayor Tondreau; for discussion. Stephen E. Johnson, City Manager, gave a brief report to Council. No public discussion. Council voted; passed unanimously, by roll call vote.

**TAB H - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE THE FOURTH OPTION TO RENEW PROFESSIONAL SERVICES AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF NORTH MIAMI AND BROWN & BROWN OF FLORIDA, INC., D/B/A T.R. JONES & COMPANY, TO CONTINUE TO PROVIDE THE CITY WITH EXCESS WORKER'S COMPENSATION INSURANCE COVERAGE FOR ONE (1) ADDITIONAL YEAR, AT A COST NOT TO EXCEED ONE HUNDRED TWENTY FIVE THOUSAND SEVEN HUNDRED SEVENTY DOLLARS (\$125,770.00); PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES**



Mr. Etienne read the Resolution title for the record. Vice Mayor Galvin moved to approve the Resolution, seconded by Councilwoman Steril; for discussion. No public discussion. Council voted, passed unanimously, by roll call vote.

**TAB I - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE A FOURTH OPTION TO RENEW PROFESSIONAL SERVICES AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF NORTH MIAMI AND RISK MANAGEMENT ASSOCIATES, INC., D/B/A PUBLIC RISK INSURANCE AGENCY, TO CONTINUE TO PROVIDE THE CITY WITH UNINTERRUPTED PUBLIC OFFICIAL LIABILITY INSURANCE COVERAGE FOR ONE (1) ADDITIONAL YEAR, AT A COST NOT TO EXCEED ONE HUNDRED FOUR THOUSAND THREE HUNDRED THREE DOLLARS (\$104,303.00); PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES**

Mr. Etienne read the Resolution title for the record. Council discussion. Mr. Johnson gave a brief report to Council. No public discussion. Vice Mayor Galvin moved to approve the Resolution, seconded by Councilman Bien-Aime; passed unanimously, by roll call vote.

**TAB J – PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, ESTABLISHING AND ADOPTING A RETIREMENT INCENTIVE PLAN FOR ELIGIBLE EMPLOYEES AND AUTHORIZING THE CITY MANAGER TO TAKE ALL NECESSARY STEPS TO EFFECTUATE THE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES**

Mr. Etienne read the Resolution title for the record. Councilwoman Keys moved to approve the Resolution, seconded by Councilman Galvin; for discussion. Council discussion. Mr. Johnson gave a brief report to Council. No public discussion. Council voted; failed 2-3, by roll call vote. Mayor Tondreau, Councilman Bien-Aime and Councilwoman Steril denied.

Mayor Tondreau moved to approve the Resolution, seconded by Councilman Bien-Aime; for discussion. Mr. Johnson advised the Resolution needs to be amended to include white and blue collar members of collective bargaining and open to the rule of 60 instead of 65. No public



discussion. Council discussion. Vice Mayor Galvin requested a list of eligible employees. Ms. Monestime would review the legal issue of providing an eligible list of employees and advise. Council voted, passed 3-2 as amended, by roll call vote. Vice Mayor Galvin and Councilwoman Keys denied.

**TAB K – PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, MEMORIALIZING CERTAIN FINANCIAL ALLOCATIONS OF REVENUE DERIVED FROM THE BISCAYNE LANDING LEASE PROCEEDS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES**

Mr. Etienne read the Resolution title for the record. Ms. Monestime gave a brief report to Council. Council discussion. Councilwoman Steril moved to approve the Resolution, seconded by Mayor Tondreau; for discussion. Council discussion. No public discussion. Council voted; passed 3-2, by roll call vote. Vice Mayor Galvin and Councilwoman Keys denied.

**LEGISLATIVE MATTERS**

**ORDINANCES – FIRST READING**

**TAB L - PROPOSED ORDINANCE (FIRST READING) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, ADOPTING A SMALL SCALE LAND USE PLAN AMENDMENT TO THE CITY OF NORTH MIAMI COMPREHENSIVE PLAN FUTURE LAND USE MAP, FOR A PROPERTY CONSISTING OF APPROXIMATELY 4.24 ACRES IN SIZE AND LOCATED AT 1850 NORTHEAST 123RD STREET, FROM COMMERCIAL LAND USE DESIGNATION TO MIXED USE HIGH LAND USE DESIGNATION, IN ORDER TO ALLOW FOR THE PROPOSED REDEVELOPMENT OF THE VACANT PROPERTY SITE, CONSISTENT WITH THE INTENT OF THE CITY OF NORTH MIAMI COMPREHENSIVE PLAN; AND FURTHER AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO EFFECTUATE THE SUBJECT SMALL SCALE LAND USE PLAN AMENDMENT, AS REQUIRED BY FLORIDA LAW; PROVIDING FOR CONFLICTS, REPEAL, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE**

Removed at petitioner's request, no action taken.



**TAB N - PROPOSED ORDINANCE (FIRST READING) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING THE CITY OF NORTH MIAMI'S COMPREHENSIVE PLAN PURSUANT TO CHAPTER 163, FLORIDA STATUTES, BY UPDATING THE FUTURE LAND USE MAP IN ORDER TO ASSIGN APPROPRIATE LAND USE CATEGORIES TO NEWLY ANNEXED PROPERTIES IN AN AREA BORDERED ON THE WEST-SIDE BY THE BISCAYNE CANAL, ON THE EAST-SIDE BY NORTHEAST 4TH AVENUE, ON THE SOUTH-SIDE BY NORTHEAST 131ST STREET, AND ON THE NORTH-SIDE BY NORTHEAST 135TH STREET (OTHERWISE KNOWN AS "AREA 3"); FURTHER AUTHORIZING THE TRANSMITTAL OF THE COMPREHENSIVE PLAN AMENDMENT TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY AND ALL OTHER REVIEW AGENCIES AS REQUIRED UNDER SECTION 163.3184, FLORIDA STATUTES; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE**

Mr. Etienne read the Ordinance title for the record. Council discussion. Councilwoman Steril moved to approve the Ordinance, seconded by Vice Mayor Galvin; for discussion. Council discussion. Mr. Johnson gave a brief report to Council. No public discussion. Council voted; passed 4-0. Mayor Tondreau away from the dais.

**TAB M - PROPOSED ORDINANCE (FIRST READING) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED "LAND DEVELOPMENT REGULATIONS", BY AMENDING THE CITY'S OFFICIAL ZONING MAP, REFERENCED IN ARTICLE 1, SECTION 1-106, TO REFLECT THE REZONING OF THE NEWLY ANNEXED PROPERTIES BORDERED ON THE WEST-SIDE BY THE BISCAYNE CANAL, ON THE EAST-SIDE BY NORTHEAST 4TH AVENUE, ON THE SOUTH-SIDE BY NORTHEAST 131ST STREET, AND ON THE NORTH-SIDE BY NORTHEAST 135TH STREET (OTHERWISE KNOWN AS "AREA 3"), IN ORDER TO ASSIGN APPROPRIATE ZONING CATEGORIES THAT ARE CONSISTENT WITH THE CITY'S LAND DEVELOPMENT REGULATIONS AND COMPREHENSIVE PLAN; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE**



Mr. Etienne read the Ordinance title for the record. Councilwoman Steril moved to approve the Ordinance, seconded by Vice Mayor Galvin; for discussion. No public discussion. Council voted; passed unanimously, by roll call vote.

**TAB N - PROPOSED ORDINANCE (FIRST READING) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING THE CITY OF NORTH MIAMI'S COMPREHENSIVE PLAN PURSUANT TO CHAPTER 163, FLORIDA STATUTES, BY UPDATING THE FUTURE LAND USE MAP IN ORDER TO ASSIGN APPROPRIATE LAND USE CATEGORIES TO NEWLY ANNEXED PROPERTIES IN AN AREA BORDERED ON THE WEST-SIDE BY THE BISCAYNE CANAL, ON THE EAST-SIDE BY NORTHEAST 4TH AVENUE, ON THE SOUTH-SIDE BY NORTHEAST 131ST STREET, AND ON THE NORTH-SIDE BY NORTHEAST 135TH STREET (OTHERWISE KNOWN AS "AREA 3"); FURTHER AUTHORIZING THE TRANSMITTAL OF THE COMPREHENSIVE PLAN AMENDMENT TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY AND ALL OTHER REVIEW AGENCIES AS REQUIRED UNDER SECTION 163.3184, FLORIDA STATUTES; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE**

Tab N taken out of order, see before Tab M.

**TAB O - PROPOSED ORDINANCE (FIRST READING) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED "LAND DEVELOPMENT REGULATIONS", BY AMENDING ARTICLE 4, DIVISION 3 ENTITLED "NON-RESIDENTIAL DISTRICTS", SPECIFICALLY AT SECTION 4-302 ENTITLED "USES PERMITTED", TO ESTABLISH 'RECREATION/ENTERTAINMENT, OUTDOOR' AS A SPECIAL EXCEPTION USE IN THE M-1 ZONING DISTRICT, TO FOSTER ECONOMIC GROWTH CONSISTENT WITH THE CITY OF NORTH MIAMI COMPREHENSIVE PLAN; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.**

Mr. Etienne read the Ordinance title for the record. Vice Mayor Galvin moved to approve the Ordinance, seconded Councilwoman Keys; for discussion. Council discussion. Ms. Monestime gave a brief report to



Council. No public discussion. Council voted; passed unanimously, by roll call vote.

**TAB P - PROPOSED ORDINANCE (FIRST READING) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 2 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES TO UPDATE, ORGANIZE, AND CLARIFY SPECIFIC SECTIONS OF THE CHAPTER, INCLUDING SUBSTANTIVE LEGAL, STYLISTIC AND ORGANIZATIONAL CHANGES, WHILE PROVIDING CONSISTENT USE OF TERMS AND CORRECTION OF SCRIVENER'S ERRORS; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE**

Mr. Etienne read the Ordinance title for the record. Councilwoman Steril moved to approve the Ordinance, seconded Mayor Tondreau; for discussion. Council discussion. Ms. Monestime gave a brief report to Council. No public discussion. Councilwoman Keys requested a friendly amendment to strike the discretion of the Board allowing spending up to \$100,000. Councilwoman Steril did not accept the friendly amendment. Council voted; passed 3-2, by roll call vote. Vice Mayor Galvin and Councilwoman Keys denied.

**CITIZENS' FORUM**

Mayor Tondreau opened public discussion for Tab K. Public discussion.

**REQUESTS – PETITIONS – COMMUNICATIONS**

**TAB Q - BISCAVNE LANDING ENVIRONMENTAL UPDATE AND DISCUSSION**

Mr. Etienne read the title for the record. Mr. Johnson gave a brief report to Council. Joe Celestin, Site Manager, gave a brief presentation to Council. Wilbur Mayorga, Chief of DERM's Pollution Control Division, gave a brief report to Council. Council discussion. Herb Tillman gave a brief report to Council. Council discussion. Cliff Schulman, Weiss Serota & Helman, gave a brief report to Council. Council discussion. Public discussion. Ms. Monestime gave a brief report to Council. Mayor Tondreau moved to have an independent scientist, conduct a study and provide a report at a cost to the developer, by the next Council meeting, seconded by Vice Mayor Galvin; for discussion. Mr. Tillman advised

Oleta Partners would pay for the requested study. Council voted; passed unanimously, by roll call vote.

## **COUNCIL REPORTS**

Various items of interest presented by Council.

## **CITY CLERK'S REPORT**

(NONE)

## **CITY ATTORNEY'S REPORT**

(NONE)

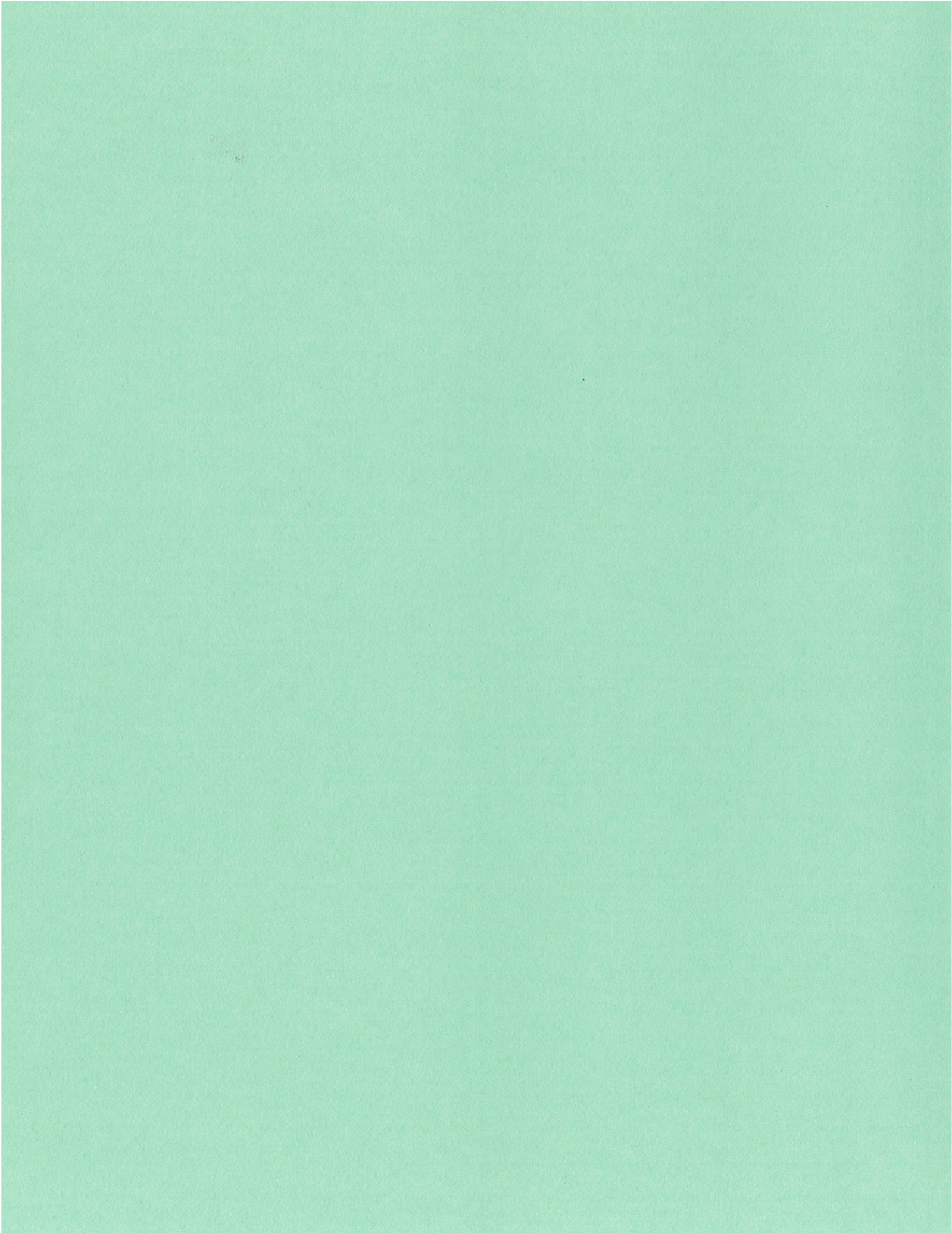
## **CITY MANAGER'S REPORT**

(NONE)

## **ADJOURNMENT**

Meeting adjourned at 11:05 p.m.







# *City Of North Miami*

## *Second Budget Hearing*

*September 25<sup>th</sup>, 2013  
6:00 P.M.*



776 N.E. 125<sup>th</sup> Street North Miami, FL 33161  
(305) 893-6511  
[northmiamifl.gov](http://northmiamifl.gov)  
VERBATIM MINUTES

**SPECIAL MEETING  
2<sup>nd</sup> BUDGET HEARING**

**SEPTEMBER 25<sup>th</sup>, 2013**

The Second Budget hearing of the North Miami City Council was held in the Council Chambers of City Hall on Tuesday, September 25, 2013, beginning at 6:00 p.m.

(Phonetic spelling of each speaker's name may be used throughout the minutes unless correct spelling is known.)

***1. PLEDGE OF ALLEGIANCE***

Mayor Tondreau: Good evening everyone. Let the record reflect that it is 6 o'clock. We're starting our second hearing for the Budget Fiscal Year 2013-2014. Chief, would you please lead us to the Pledge of Allegiance. I'm sorry?

Councilman Steril: (Inaudible).

Mayor Tondreau: We do have somebody? Nobody told me.

Councilwoman Steril: We sent it to you.

***2. INVOCATION***

Mayor Tondreau: Let us rise for the Pledge of Allegiance. And the Pledge of Allegiance...oh the Pledge of Allegiance will be done by Kathleen Devaney from Florida International University; followed by the Invocation from Pastor Cheryl Sejour, Gateway Foursquare Church.

Ms. Devaney: (Leading the Pledge of Allegiance).

Mayor Tondreau: Remain standing please.

Pastor Sejour: Good evening Mayor and Councilmembers, Staff. We're going to bow and honor God of heaven and earth. Father God, we know that you have all wisdom. And so we invoke your blessing upon this meeting tonight. We ask that your presence will be here guiding decisions that are made. Guiding articles that will be voted upon and we just ask that your wisdom to be with each Councilmember, with each one that will be voting tonight. And we thank you that we can put our hope in you. We thank you that you, oh Father God know the best, the best solutions for everything. And so, we ask for your blessing upon the minds of each one. In Jesus name, Amen.



**3. CALL TO ORDER / ROLL CALL OF MEMBERS**

Mayor Tondreau: Mayor Pierre: Thank you. Call to order. Mr. Clerk, roll call please.

**ROLL CALL**

Mayor Tondreau	Here
Councilwoman Steril	Here
Councilman Bien-Aime	Here
Councilwoman Keys	Here
Vice-Mayor Galvin	Present at 6:04 P.M.

Mr. Etienne: Mayor, we have a quorum.

**4. ORDER OF BUSINESS**

**5. PUBLIC HEARINGS**

Mayor Tondreau: Thank you Mr. Clerk. This is our millage resolution, would you please read Tab A in its entirety.

Mr. Etienne: (reads resolution by title only)

A RESOLUTION OF THE MAYOR AND CITY COUNCIL  
OF THE CITY OF NORTH MIAMI, FLORIDA,  
ADOPTING A FINAL MILLAGE RATE OF 8.1000 MILLS  
FOR FISCAL YEAR 2013 – 2014; PROVIDING FOR AN  
EFFECTIVE DATE AND FOR ALL OTHER PURPOSES

Mr. Etienne: Whereas, the City of North Miami, Florida (CITY) has considered, an operating Budget for Fiscal Year 2013 – 2014 in accordance with the provisions of Section 200.065 Florida Statutes and whereas, the millage rate necessary to fund the City's operating Budget for Fiscal Year 2013 – 2014 is 8.1000 mills which is 3.52% more than the roll back rate of 7.8149 mills. And whereas, in accordance with Section 200.065 (5a) Florida Statutes 2012 as amended from time to time, a majority vote of the Mayor and City Council is required to adopt a rate of up to 8.9847 mills. And whereas, the Mayor and City Council find that the adoption of the proposed final millage rate for Fiscal Year 2013 – 2014 is in the best interest of the City. Now therefore be it duly resolved by the Mayor and City Council of the City of North Miami, Florida as follows. Section 1, adoption of final millage rate. The Mayor and City Council of the City of North Miami, Florida hereby adopt 8.1000 mills as the final millage rate on

assessed property value necessary to fund the City's Fiscal Year 2013 – 2014 operating Budget. Section 2, effective date; this resolution shall become effective immediately upon passage. Passed and adopted by a blank vote of the Mayor and City Council of the City of North Miami, Florida this blank day of blank 2013.

Mayor Tondreau: Thank you Mr. Clerk. Let the record reflect that Vice-Mayor Galvin present at 6:04. Mr. Manager, presentation please.

Mr. Johnson: Good evening Mayor and Council. Tonight we're glad to present this Final Budget to you for your consideration and approval. The community engagement and collaboration among Staff and our Mayor and Council, the Fiscal Year 2013 – 2014 Budget provides for the implementation of strategic goals set forth. So in order to provide an appropriate and responsible government services to the residents and businesses of North Miami, Staff actively listened to the needs of its community. Nobody knows the desire of this community better than you all as elected officials. So today's Second Budget Hearing is a last step of a Budget process that has guided Staff on reallocating funds. We presented those to you in this summary that's attached. Listed as summary of General Fund revisions that we made last week. So in summary \$1.6 million dollars was targeted and secured to fund the additional community service and capital projects not previously Budgeted. So the highlights that we gave you reflect that. And again, that is based on the millage rate of 8.1.

Mayor Tondreau: Thank you. We're going to open Public Hearing. Anyone who wishes to speak on Tab A that is in the audience right now? Okay, Public Hearing is now closed. Discussion?

Councilwoman Steril: Madame Mayor, if you'll allow me. I have a question for either the City Manager or the City Attorney.

Mayor Tondreau: Is your mic on?

Councilwoman Steril: Yes it's on. You guys hear me?

Mayor Tondreau: Now we can.

Councilwoman Steril: Thank you. I know the last Budget Hearing when we were passing the millage rate but the discussion...the understanding is that, this is the time if we want to get the roll back or if we want to go forward with the 8.1. So if we want to go with the roll back, what would be the process to do so?

Mr. Johnson: It would be the amendment of this resolution to go to the roll back rate. So the law allows us to go back, we just can't go higher than what we previously allocated.



Councilwoman Steril: I know one of the issues that we have. We wanted to have capital improvement money, much more money. But with the roll back rate if we keep the rate the way it is right now, we will have a gain of 700 point something. That's what it is? From what I understand sitting down with you guys, with the presentation that you guys did last night with the retirement plan, that will provide us with I think probably more money than...more than the 700 point something dollars. Is that what it is?

Mr. Johnson: Yes and no. The...when we do the retirement incentive plan, our proposal is if we don't hire anybody back ideally we would have a lot of money. When I mean a lot of money, we would have those salaries savings plus benefits. And then we would subtract the cost of the retirement incentive plan, which would be a fraction there. So there would be some savings. What we had intended to do was hire only back 50% of the people that leave. And so the first year the other 50% in moving forward that's how we would fund some of the unfunded portions of the early retirement incentive plan. So there are some funds there. We don't know how much because it's not mandatory that everybody takes it. So once we see who retires, maybe only four people would take it. So we can't calculate at this time what those numbers are until we actual who does leave. We do anticipate a pretty good number because after last night we were contacted by the unions who are interested in us presenting it to them as well. But it's...so with that alone it seems like to be a very good forecast. But I'm uncomfortable in telling you how much that would be at this point and time.

Councilwoman Steril: That's fine. Anyways, throughout those weeks within the first hearing and the second hearing, I have received a lot of phone calls from my constituents feeling that they would rather us or they would rather me support a roll back rate instead of moving with the 8.1. Having saying that I will make a motion to...how would I affirm that Madam City Attorney? Make a motion to what? To have...

Ms. Monestime: To amend the resolution...

Councilwoman Steril: To amend the motion to a roll back rate.

Ms. Monestime: ...to the roll back rate.

Councilwoman Steril: Okay. That's my motion.

Vice-Mayor Galvin: Second for discussion. Madam Mayor, what would be the roll back rate? And if we don't adopt the retirement plan, what happens if we adopt roll back tonight and we don't have that savings so to speak?

Mr. Johnson: The roll back rate would be 7.8. What you asked us to do at the First Budget Hearing was to reduce the Budget, which we did without utilizing the

early retirement system. So we were able to go in and we will be making some modifications and some changes. So we found the \$780,000. As Councilman Bien-Aime had requested opposed to doing the roll back rate, so we found that. So that would be the impact. We have found that money. However, knowing the spirit of the Council and the direction that there seems to be a need for additional capital improvement, that's where the early retirement incentive plan came in. Is that, that would be a funding source in the event that additional funds is needed.

Vice-Mayor Galvin: Okay so the Fiscal impact of going from 8.1 tonight to 7.8 tonight is \$780,000?

Mr. Johnson: Yes in that neighborhood, yes.

Vice-Mayor Galvin: Where are we finding that \$780,000? Where have you found it? It sounds like you've already found it. Where is that...am I correct in that?

Mr. Johnson: No you're incorrect in that. If the Council asks to go to the roll back rate, we have presented a balanced Budget. If it's your desire to go back to the roll back then what we would do is go through the Budget...

Councilwoman Steril: Throughout the year.

Mr. Johnson: Throughout the year and reduce the Budget by several hundred thousand dollars.

Vice-Mayor Galvin: Okay here's where the old man in me is coming out. In the past, we had to do that here tonight. Like we had to sit here and we would go hours laboriously, which it was horrible. I'm not looking to be here for seven or eight hours tonight. But under law, don't we have to have the Budget tonight. I mean how am I mistaken as to we used to have to walk out the door with everything dotted and crossed and everything that night. And now it sort of sounds like we can walk out here with it vary and flux and you can come back to it later.

Councilwoman Steril: I was there at those times with you. Because...back then we choose to micro manage the Budget. We wanted to do it from pennies to millions ourselves, which I don't think the law required us to do it if we don't want to. But as we pay the City Manager and the Budget Director to balance the Budget, they provide to us tonight a balanced Budget. But however, the 700 or \$700,000 that they have to find, they will find it because it's in there. Either they make more cuts or they'll bring back to us...okay the \$700,000 we want to take it from the Biscayne Landing. We hope that's not what happened. But however, they will find it somewhere in the Budget, that's their job to find it to bring it back to us.



Vice-Mayor Galvin: I get that part. I guess...

Councilwoman Steril: Or we can spend the night and look for it, I don't mind.

Vice-Mayor Galvin: Well maybe it's just a legal question. Do we have to approve a...the Budget that we approve tonight, is it allowed to be...

Mayor Tondreau: Revised?

Vice-Mayor Galvin: I know it can be revised with Budget amendments through the year.

Mr. Johnson: That's correct.

Vice-Mayor Galvin: But its holy unordinary to me to walk out with that big of a question mark. I just would feel more comfortable voting on a Budget that was substantively complete. And if maybe you have an idea where the 780 would come from I'd like to hear that. With your eliminating all Parks program to make up for it, I'm not in favor of that.

Councilwoman Steril: I'm not either.

Councilman Bien-Aime: City Manager, you need to explain that this Budget that you present to us is based on 8.1 millage right?

Mr. Johnson: That's correct.

Councilman Bien-Aime: In order for you to have a balanced Budget, if you have to go on the roll back 7.8 you won't have a balanced Budget.

Mr. Johnson: That's correct unless cuts are made.

Councilman Bien-Aime: Exactly. Without that you won't be able to balance that Budget.

Mr. Johnson: That's correct.

Mayor Tondreau: Didn't we at the last Budget Hearing I remember it was a suggestion from Councilman Bien-Aime for us to go into the roll back. That's where you went and searched and found those additional \$700,000?

Mr. Johnson: What Councilman Bien-Aime had earlier proposed was that he wanted to do the roll back rate, which was \$780,000. And if we did not find 780 for capital improvements he would then leave it at the 8.1.

Councilman Bien-Aime: Let's explain. The question was, I want the 7.8 and you have to find a way to balance the Budget with 7.8. I said I don't mind increasing tax if you're going to use the 8.1; the money coming out of the 8.1 to do capital improvement.

Mr. Johnson: Correct.

Councilman Bien-Aime: That was the plan.

Mr. Johnson: That's correct.

Councilman Bien-Aime: I'm in favor of the 7.8. You're going to have to do some cuts in order to balance the Budget at 7.8. But I said I don't mind if you're raising it by 8.1 if the money going to be put aside for capital improvement.

Mr. Johnson: Correct.

Councilman Bien-Aime: That was the point.

Mr. Johnson: And so therefore we presented to you tonight the 8.1 because we found the fund for the capital improvement. And we found that because we added back furlough days. So we did not have...we added six furlough days...

Councilman Bien-Aime: Which is about \$300,000?

Mr. Johnson: Yes it's roughly about 300 plus thousand. And I'm going through the various departments and we're making concessions in the various departments. So those concessions and consolidations came up and that's how we were able to find at your request what we did and we found those funds. Now if you're...if you...therefore we have a balanced Budget. That's how we were able to balance it.

Councilwoman Steril: So the Vice-Mayor's question, if we happen to pass the roll back rate which is 7.8, where would you find or how would you find the 7.8 something thousand dollars in the Budget?

Mr. Johnson: We would go...throughout the year we did reevaluate...there is some leverage where we reevaluated the discounted rate compared to what...in other words, there's a rate that if everybody pays early and if they pay late. So there's some leeway there so we can project additional funds there. And throughout the year we can go through the Budget during the course of the year and make additional cuts.



Councilwoman Steril: Okay.

Mr. Johnson: And those additional cuts we would find the money. Now some cuts will not have to be made because if we...now that the retirement incentive plan will be in place, we anticipate a positive effect on that as well. I just can't commit to that but I think that's its favorable to say that if you did do the roll back rate, through the retirement incentive plan we would get the cushion and we would be able to come back and do the various Budget amendments. Plus on top of that, I will be evaluating departments. There will be some consolidations and modifications. And we'll continue that throughout the year without impacting City services. We will not impact Library service hours, Parks and Recreation, people at a first and second tier level that are actually out there doing the work that has the interaction. That's not where the impacts or the modifications will come. It will come...we will be looking at mid managers, upper managers. We will be looking at what we have and making some changes. So that's how we will do it if that's what you desire.

Councilman Bien-Aime: Let me ask you a question. If we have to do the roll back at 7.8, we won't be able to vote tonight on the Budget. You're going to have to go back and balance the Budget and come back for a second hearing.

Vice-Mayor Galvin: He's right on the money. We don't have a balanced Budget tonight unless we sit here and come up with...

Councilman Bien-Aime: With 8.1. If we have to do the roll back and go at 7.8 we won't have a balanced Budget. You're going to have to go back and we're going to have to do a second hearing in order for us...to present to us a balanced Budget.

Mayor Tondreau: In other words what he's saying is that, this Budget is balanced...

Councilman Bien-Aime: Based on 8.1.

Mayor Tondreau: ...based on 8.1.

Councilman Bien-Aime: The only difference, I want that money that 780 to be capital improvement instead of using it just to balance the Budget.

Mr. Johnson: The Budget Manager is just sharing with me that we could go back through the book. We have a balanced Budget. We can go back through the book and if it was your desire...

Councilman Bien-Aime: What you mean go back? We won't be able to vote tonight.

Mr. Johnson: We have to vote tonight.

Mayor Tondreau: Unless we decide to go back tonight and balance it and leave here at 1 o'clock in the morning.

Councilman Bien-Aime: Why we have to vote tonight? It's not on the 30<sup>th</sup>. Today is the 25<sup>th</sup>, no?

Mr. Sorey: Basically what we would do right now, if you want us to go back to the roll back rate, we actually would...we could take a brief recess, go through some stuff and we can actually come up with the \$772,000. What is available now, we do have the \$780,000 that we Budgeted for capital projects. If you say that you don't want to cut that out and you want to leave the capital projects, we'll go through and make the changes necessary. But we do need to balance the Budget book tonight.

Councilman Bien-Aime: Why is that?

Mr. Sorey: By law with the trim, the Department of Revenue, if we don't have a balanced Budget tonight and have the...then we'll have to go back out and re-advertise to all the constituents of North Miami, which will take additional time. We don't have the time to do that.

Councilman Bien-Aime: Okay but that's not illegal in order...if we don't vote tonight.

Mr. Sorey: Yes exactly it's not legal under that. But we need to balance tonight.

Councilwoman Keys: I'd like to ask a question about these furlough days. So we're going back to furlough days; every employee six days?

Mr. Johnson: We already six furlough days in the current Budget year. We had originally took the six furlough days out, we removed them to commence October 1<sup>st</sup> going into this 13-14 that there would be no more furlough days. But when we know that we needed to do capital improvement projects, we put the six furlough days back into the Budget. So that brought in about \$350,000 roughly.

Councilwoman Keys: So we're still going to have several days during the year where we have four day weekends where the City is closed for four days?



Mr. Johnson: That's correct.

Councilwoman Keys: Cause that is not a good thing for the citizens. People are trying to do business with the City and I've had more complaints where closing the City for four days is just ridiculous on a 3-day holiday. Then people can't come in on Friday, people's work has stopped. And I'd like to see either the furlough days...less furlough days or them all. My preference is not to have so many mandatory furlough days for the employees if they don't want them. And secondly, I'd like to see them scattered. Because closing the City for four days in a row is just...it's not acceptable.

Councilman Bien-Aime: What do you mean four days in a row? Four days throughout the year.

Mayor Tondreau: What do you mean four days in a row?

Councilwoman Steril: What she's saying is that...

Councilwoman Keys: No, no, no. When we have a 3-day holiday...

Councilwoman Steril: You know when there is a 3 day holiday...

Councilwoman Keys: They give a furlough day on Friday.

Councilwoman Steril: Like a Friday, Monday she doesn't want you...but some of the employees actually like it this way because they can actually spend more time with their families.

Councilwoman Keys: What about the citizens too?

Councilwoman Steril: But remember the citizens only come to pay their utility bill which they do have...

Councilwoman Keys: That is not true.

Councilwoman Steril: What else do they do in City Hall?

Councilwoman Keys: People work with the Building Department, the Planning Department. You've got contractors working. Their jobs are shut down because they can't get inspections.

Councilwoman Steril: They have a problem with that?

Councilwoman Keys: Oh yes, yes.

Councilwoman Steril: Really to you?

Vice-Mayor Galvin: I hear the same complaints.

Councilman Bien-Aime: But at the same time as a government...

Councilwoman Keys: I mean this City is a business and people are...

Councilman Bien-Aime: I understand that but...

Councilwoman Keys: I'm just saying that...

Councilwoman Steril: Can you call the roll for the millage rate?

Councilwoman Keys: Also I have another question before we adjourn. Mr. Sorey, we've got this retirement looming over us. What is...how have you determined what the cost is going to be to the City if...I mean if you've made this pension plan too good to be true and we lose half of the people. Monday we had 23 employees and now we're looking at 40 employees since we went back to 60 instead of 65. How many employees are we talking about?

Mr. Johnson: It's in the neighborhood of 80. But again we can't...

Councilwoman Keys: Eighty?

Mr. Johnson: I'm sorry 40.

Councilwoman Keys: Forty.

Mr. Johnson: But we can't make that determination because it's not mandatory that people take it.

Councilwoman Keys: But we still have to have an idea if even half of those people...we've got to assume half of these people accept this pension plan. Do we have a number that that is going to cost the City in buy outs, insurance, sick leave? Do we have that figure somewhere and is that worked into this Budget in this miscellaneous expense computation?

Councilwoman Steril: Madam Mayor, Mr. City Manager can we...I think you're going through the detailed Budget, which I'm interested in it too. Can we just do



the first item which is the millage rate and then we'll go back to the second item, which is the...

Councilman Bien-Aime: Budget.

Councilwoman Keys: Ok but I just didn't want them to adjourn without...

Mayor Tondreau: We're not going to adjourn (inaudible – simultaneous discussion).

Councilman Bien-Aime: It's the millage rate now.

Mayor Tondreau: We're going to take a recess so that they can go ahead and re-balance the Budget.

Councilwoman Steril: We have to pass the millage rate first.

Mayor Tondreau: This is if we...can you repeat your motion Councilwoman?

Councilwoman Steril: Madam City Attorney, can you read it for me please since you eloquently...

Ms. Monestime: Sure but let me just clarify in terms of having to pass the Budget. Your charter requires you to pass the Budget no later than the 27<sup>th</sup> day of the last month of the current Fiscal Year. And should you not pass the Budget tonight then the Budget as presented will be adopted subject to your amendments throughout the year.

Councilman Bien-Aime: That mean if we don't vote on it the Proposed Budget will be our Budget.

Ms. Monestime: That's correct.

Mayor Tondreau: There's a motion on the floor.

Councilwoman Steril: Can you read my motion please?

Ms. Monestime: So the motion...Mr. Clerk, what was the motion?

Mr. Etienne: Councilwoman Steril made a motion to adopt the roll back rate apparently of 7.8. Now it was seconded by Galvin for discussion. Do I need...if it's second for discussion it's second right? So it was seconded by Galvin and that was the motion that Councilwoman Steril made and it was second by Galvin for discussion.

Vice-Mayor Galvin: Can we vote one last question? Here's my concern Councilwoman Steril, what if we vote this to 7.8 right now and then absolutely hate what Staff comes back to us within half an hour?

Councilwoman Steril: We sit down as we usually do. We send them back or we help them out. I have time.

Mayor Tondreau: City Clerk, roll call please.

Mr. Johnson: But there won't be no coming back.

Councilman Bien-Aime: That mean either or? If we have to do the roll back at 7.8 or we keep it at 8.1, we're still going to have cuts?

Councilwoman Steril: Yeah.

Mayor Tondreau: Right.

Mr. Johnson: Correct.

#### ROLL CALL

Vice-Mayor Galvin	Yes
Mayor Tondreau	Yes
Councilman Bien-Aime	No
Councilwoman Keys	Yes
Councilwoman Steril	Yes

Mr. Etienne: Measure passes 4-1.

Mayor Tondreau: Thank you. Before we go on Tab B we're going to go into recess. Budget Manager and City Attorney are going to come back with new numbers, new figures for us so that we can continue.

Councilwoman Steril: How long do you guys need?

Vice-Mayor Galvin: Do we say half an hour or...

Mr. Sorey: Half an hour is fine.

Councilwoman Steril: Half an hour?



Mayor Tondreau: Let me give you forty-five minutes. Okay, we'll return in 45 minutes.

Mr. Johnson: It's up to you. We're okay with 30 but it's up to you.

Councilwoman Steril: Thirty minutes?

Mr. Johnson: Yeah we're okay with 30 if you desire.

Mayor Tondreau: We give you 45 minutes so that we're not late.

### ***RECESS***

Mayor Tondreau: ...to reconvene the Second Budget Hearing. And we had a recess for 45 minutes, 47 minutes actually. And we...I hope the City Manager and the Budget Manager have found the numbers that we were looking for and I think you have.

Mr. Johnson: Mayor and Council we have. And being that you've adopted the millage rate just for record purposes, we're going to ask that the Clerk officially re-ear that into the minutes and then we'll enter the record. And then we'll come back, if it's okay Madam Mayor to reflect where those numbers came from.

Mayor Tondreau: So be it.

Mr. Etienne: The resolution that was adopted by the City Council is the following.

#### **A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, ADOPTING A FINAL MILLAGE RATE OF 7.8149 MILLS FOR FISCAL YEAR 2013 – 2014; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES**

Mr. Etienne: Whereas, the City of North Miami, Florida has considered, an operating Budget for Fiscal Year 2013 – 2014 in accordance with the provisions of Section 200.065 Florida Statutes. Whereas, the millage rate necessary to fund the City's operating Budget for Fiscal Year 2013 – 2014 is 7.8149 mils. And whereas, in accordance with Section 200.065 (5a) Florida Statutes 2012 as amended from time to time, a majority vote of the Mayor and City Council is required to adopt a rate of up to 8.9847 mils. And whereas, the Mayor and City Council find that the adoption of the proposed millage rate for Fiscal Year 2013 – 2014 is in the best interest of the City. Now therefore be it duly resolved by the Mayor and City Council of the City of North Miami,

Florida as follows. Section 1, Adoption of final millage rate. The Mayor and City Council of the City of North Miami, Florida hereby adopt 7.8149 mils as the final millage rate on assessed property value necessary to fund the City's Fiscal Year 2013 – 2014 operating Budget. Section 2, effective date; this resolution shall become effective immediately upon adoption. Passed and adopted by a 4-1 vote of the Mayor and City Council of the City of North Miami, Florida this 25<sup>th</sup> day of September 2013. And the current time is 7:23 P.M. Thank you.

Mayor Tondreau: Thank you Mr. City Clerk. Can we hear the presentation for the new numbers?

Mr. Johnson: Madam Mayor and Council, I'd like to direct your page...direct you to page number 495 in the Budget book.

Councilman Bien-Aime: What was the page?

Mr. Johnson: Page 495, the department will be Public Works and Fleet Management. The division is the Motor Pool...

Councilman Bien-Aime: You said 495?

Mr. Johnson: Page 495 of the holes Budget book. And the department that that's under is Public Works, Fleet Management for the Motor Pool. Item number 998 is reserved set aside for future replacement of vehicles in the City's Fleet. We request to utilize that \$250,000 and previously there was Biscayne funds used in the neighborhood of \$3.5, three million was used. There's \$500,000 left over and we have found to use that \$500,000 and that would be enough to cover...

Councilwoman Keys: Would you repeat that what you just said about the \$500,000?

Mr. Johnson: Yes. If you recall there was \$3.5 previously allocated money.

Councilwoman Keys: Of Biscayne Landing funds?

Mr. Johnson: Yes. That was reserved for employees. \$1.5 has been used. An additional \$1.5 has been used for the resolution passed last night. That leaves \$500,000 left over.

Councilwoman Keys: Beautification for District Three.



Mr. Johnson: Yes and \$500,000 is left over. We're requesting to use that five plus the 250 from the reserve and that would suffice to cover the lowerage of the millage rate.

Councilwoman Keys: May I speak?

Councilman Bien-Aime: Meaning instead of using 1.5 from the reserve, now we're going to use two million to balance the Budget?

Mr. Johnson: Yes you can say it that way. Yes sir. And then plus the 250. We're adding that 500 back into it plus this 250 to find the millage rate.

Councilman Bien-Aime: To balance the Budget.

Mr. Johnson: That's correct.

Councilman Bien-Aime: For the roll back?

Mr. Johnson: Correct.

Councilman Bien-Aime: In order to save the taxpayer about 67 cents a month.

Mr. Johnson: Is that what the average is?

Councilman Bien-Aime: It's about \$8.00 per taxpayer per year.

Councilwoman Steril: (Inaudible – simultaneous discussion) tax on the taxpayers we use that money.

Councilman Bien-Aime: Yeah to balance our Budget. We're using two million dollars from the money that was allocated to the employees to balance that Budget and we're saving the taxpayers 67 cents a month.

Mr. Johnson: Yes.

Councilman Bien-Aime: Okay.

Councilwoman Keys: I'd like to say something please. When we started out about a month ago we had \$3.5 million dollars allocated out of Biscayne Landing funds for employee salaries not necessary benefits. We've used a million and a half leaving us two. We've since taken a million and a half from that and now you're taking another 500,000. Which means we're using two million dollars of our Biscayne Landing

funds to balance the Budget this year and that leaves us of our 17.5 million dollars; that leaves us so the world knows, we're left with \$2 million dollars in our Biscayne Landing funds. That's all we've got. And next year when we have a shortfall where are we getting the two million dollars? I just do not like using all of our Biscayne Landing money that we set aside. I would like to see us...if we're going to roll back the rate then we need to roll back some of those improvements. If we really have improvements we can always take them from the Biscayne allocation like we did last night. And I'd rather roll back...since we do not have a list of what the 780,000 or the 720,000 improvements are; I think we should take 500,000 from that amount. We added 750,000 or 720,000 for improvements...no we added 780,000 to our Budget. I don't see how we can roll back the rates and add \$780,000 to our Budget.

Councilwoman Steril: We just did.

Mayor Tondreau: He just did.

Councilman Bien-Aime: He made cuts. He's using a half million dollars...

Councilwoman Keys: Excuse me; let me speak because I got interrupted. And let me just speak and then you all can say what you want. We just robbed our reserves. We balanced it because we took Biscayne Landing money, which is a one time fund. We are not going to get that again. I think if we want and have a need for capital improvements the money will be there, still sitting there in the allocation and we can go take it when we need it. But I think we should not...we don't need to put 780,000 in our capital Budget because we don't even have a line item for it. It's just; oh we're going to have 780,000 in our Budget. Let it in the Biscayne Landing funds. If you want to use it, take it later. But we don't need to take it right now and rob our Biscayne Landing funds.

Councilman Bien-Aime: City Manager by doing the roll back, we don't touch 780,000 for capital improvements because...

Councilwoman Keys: Yes you do.

Councilman Bien-Aime: You're still going to have it?

Councilwoman Steril: Yep.

Councilman Bien-Aime: Because...

Councilwoman Keys: Because they took 500,000 from our Biscayne...the remainder of our Biscayne Landing funds. Instead of lower the improvements; we've got improvements that we haven't even identified but we...



Councilman Bien-Aime: Which improvement you're talking about?

Councilwoman Keys: I don't know. It says 780,000 for capital improvements.

Councilman Bien-Aime: We say capital improvement...

Mayor Tondreau: Excuse me, excuse me. I think if you want to speak, each of you. You have to take turns. Speak your mind. It's not right for you folks to have a dialogue going on. And we're trying to clarify something for us to understand what's going on. And I believe the Budget Manager and the City Manager are there to clarify whichever questions that we may have. Are you done Councilwoman?

Councilwoman Keys: Yes, I don't have any questions.

Mayor Tondreau: Thank you. Councilman Bien-Aime you have the floor.

Councilman Bien-Aime: And before we do the roll back you said you have the \$780,000 for capital improvement. If we have to do the roll back at 7.8 you're going to have to cut to find that \$780,000 since our Budget was balanced based on that. If we do the roll back you come up with that \$750,000, do we still have the capital improvement in the Budget?

Mr. Johnson: Yes.

Councilman Bien-Aime: I understand.

Mayor Tondreau: That's correct.

Councilwoman Steril: May I Madam Mayor?

Mayor Tondreau: Mr. Bien-Aime, Councilwoman Steril has the floor.

Councilman Bien-Aime: Okay.

Councilwoman Steril: Thank you Madam Mayor. Thank you Mr. Bien-Aime for allowing us to speak. There is no line item in the Budget as Biscayne Landing money. The \$500,000 that we're referring to is not part of the reserve. So we need to carefully choose our words specifically when we're doing Budget. Whatever that we say, that's what will be repeated and that wouldn't be fair. Because we're up here are professional or supposedly understand the Budget and the language. The money that I am hoping that I'm right, if not please allow me or clarify it for me. The money was always in the Budget was allocated for Staff and it was supposed to be in the Budget. It

was part of the Budget. However, it's not from the reserve or from anywhere else. Since we decided a long time ago we were not going to use that money to give it back to Staff. So that line item was just there. So since we decided not to increase tax, it doesn't matter if it's a penny or fifty cents or a quarter or a dollar but we decided not to increase the tax. So the City Manager used the money that was already part of the Budget to move forward to balance the Budget. Make sense? Am I clear? I think I can get a job as the Manager tonight, at least Budget Manager. Thank you Madam.

Mayor Tondreau: Are you sending signals?

Councilwoman Steril: I'll get the job if they give it to me. That was just a joke by the way.

Mayor Tondreau: Vice-Mayor Galvin, do you have any comments?

Vice-Mayor Galvin: Just quickly, I want to make sure that I comprehend. You've already before tonight used \$1.5 million that we had talked about spending for Staff salaries and moved it over to our General Fund to balance the Budget.

Mr. Johnson: That's correct.

Vice-Mayor Galvin: Did we need to take in any type of vote? When we memorialized those salary amounts and all the other things it was via resolution. Since this now is a change to that resolution, do we need a new resolution to re-memorialize? Are we making sure we've covered every base in moving that money order that procedurally we're not violating anything we voted on in the past?

Mr. Johnson: That's correct Councilman through the Mayor, Vice-Mayor. When you through resolution it was memorialized all of the allocations with the prior administration and Council administration that 3.5 would be allocated for our employees benefits over a future use. We had intended to use that over a series of years. Then what happened was...and that was memorialized. You came back and through resolution you reallocated 1.5 of that last night.

Vice-Mayor Galvin: Right. So my question is, the additional 1.5 that you've already moved over...

Mr. Johnson: Yes.

Vice-Mayor Galvin: Wouldn't we need a resolution to do that just like we needed a resolution to move the 1.5 to sidewalks?



Mr. Johnson: Well you had already through that resolution you had already in my opinion had gave me authority to use those funds for covering Staff costs. So that's...

Mayor Tondreau: Wasn't it the money that was reserved for employee furlough days that we were supposed to reimburse them and you made the comment saying that they're lucky to have a job? We're trying to use that money for capital improvements.

Vice-Mayor Galvin: No I'm not disagreeing with you. I was making sure that procedurally...

Mayor Tondreau: The procedure is okay.

Vice-Mayor Galvin: ...we've done what we're supposed to do. Because again I'd rather provide programs than salaries, so I'm cool with this. But I just want to make sure that...

Mayor Tondreau: Well maybe City Attorney can try to...

Councilwoman Steril: They're talking among each other trying to solve it.

Mayor Tondreau: City Attorney, what is your take on that?

Ms. Monestime: I'm just trying to understand where the second 1.5...when was that...

Vice-Mayor Galvin: Several months ago...I don't remember. It was probably even before the election. We took a vote on a resolution memorializing...

Ms. Monestime: I recall that.

Vice-Mayor Galvin: And of that...in that line item was \$3.5 million for Staff salaries. Well just last night we passed a new resolution taking 1.5 of that out and putting it towards sidewalks.

Ms. Monestime: So that leaves...

Vice-Mayor Galvin: So that leaves two million. As I understand it, they've already computing tonight's Budget...

Ms. Monestime: We're going to pass this tonight though.

Vice-Mayor Galvin: Do you follow what I'm saying? We're...

Councilwoman Steril: Do we need a separate resolution to take the following...

Ms. Monestime: No, no, no. You're doing it via ordinance tonight. You're adopting your Budget and that change is in your ordinance tonight. So with that change is happening through legislation just like required.

Vice-Mayor Galvin: Okay. I just want to make sure that we didn't stumble somehow. That was my only question. Thank you.

Mayor Tondreau: Very good. Mr. City Clerk.

Mr. Etienne: Okay and I have a question. How am I going to read the ordinance that's on here? So now am I going to say attached hereto as amended exhibit one on the body of what's on the iPad? Cause the exhibit that's attached was the Budget from before. Now the Budget has been amended. Am I going to just say amended?

Ms. Monestime: As amended.

Mr. Etienne: As amended, okay.

Mr. Johnson: He's just officially making the change.

Mr. Etienne: And is it still going to be as calculated by five point...okay that's what I figured. When we make a change let us read it from your laptop cause I don't have the amended here.

Vice-Mayor Galvin: Oh, I did have one other thought. I just want to get on the record what you told me earlier that we were going to be able to find funds for the Vita Course at North Bayshore Park if it's agreed to by the community. They want it.

Mayor Tondreau: To do what?

Vice-Mayor Galvin: An exercise course that people in the district, in my district had asked for that cost \$10,000. It's some equipment you know pull ups here and they can run over here and do sit ups here. There's been this ongoing debate for years whether or not they would have this...

Councilwoman Steril: Find the \$10,000 for the Councilman please.



Mayor Tondreau: More than \$10,000 because at the Lehman Park as well someone in the audience just mentioned the same thing. They need some outdoor equipment. And I have asked for District 4 when I was in the Parks and Recreation Board. Because people are walking and there's no outdoor equipment. Those are things that I think that are needed in all our four districts or wherever there are parks. And people that are working out, it's a good thing. I support that. Now shall we Madam Attorney, after we're done with all the questions, shall we reopen Public Hearings?

Ms. Monestime: Yes because this is a new item.

Mayor Tondreau: New item okay.

Councilwoman Steril: You guys delete the Clerk agenda item, is that what it is? That's what they did to you Mr. Clerk?

Mr. Etienne: No. What I have is what we had originally. So now I have to read it in its entirety and there's some changes they got to make now before I...because it's not 5% anymore. The amount has changed because the Budget is different. So he's going to fix it and I'm going to read it.

Councilman Bien-Aime: Can we go in recess again?

Mr. Etienne: He's got to change the calculations, the numbers, the percentage.

Councilwoman Steril: That's okay. I'll wait. Should I sing now?

Mr. Etienne: If the Mayor allows us to.

Mayor Tondreau: Keep your day job, okay. So the millage was...if adopted it's going to be (inaudible).

Councilwoman Keys: Jacqie you just raised a sign. What did it say? Speak into microphone. Thank you.

Mayor Tondreau: Speak into microphone. Are you talking to Councilwoman Steril who wanted to sing?

Councilwoman Steril: Oh okay no problem. You guys ready?

Mayor Tondreau: You don't want that please Jacqie come on. Please. So Mr. Clerk, you're going to re-read the entire thing and then we open Public Forum for those in the audience who would like to speak? And then we...very good. That's fine.

Councilman Bien-Aime: He says you can do it now. Public forum now?

Mayor Tondreau: We can open Public forum now?

Councilman Bien-Aime: Do we have to read it before we open Public forum?

Mayor Tondreau: Yes because they're going to speak. They must know what they're speaking about.

Councilman Bien-Aime: Okay. May we have a recess for five minutes?

Mayor Tondreau: Maybe we should take a five, 10 minute recess? We're going to take a recess for 10 minutes because we don't want Councilwoman Steril to sing.

Vice-Mayor Galvin: They've got to recompute rates and percentages and all that stuff. So when they read it for the record its accurate based on this new 7.8 mils.

### ***RECESS***

Mayor Tondreau: Mr. Clerk, is everything clear on your...

Mr. Etienne: Yes Mayor.

Mayor Tondreau: Okay, would you please re-read for us Item A?

Mr. Etienne: Tab B.

Mayor Tondreau: B.

Mr. Etienne: Yes ma'am.

Mayor Tondreau: I'm sorry.

Mr. Etienne: Ordinance of the Mayor and City Council of the City of North Miami, Florida adopting and approving the Budget for the City of North Miami for the Fiscal Year commencing October 1<sup>st</sup>, 2013 and ending September 30<sup>th</sup>, 2014 authorizing the amount to be raised by taxation for the operation of the City for the 2013-2014 Fiscal Year; authorizing the expenditure of funds established by the Budget. Authorizing a return on investment transfer from the Water & Sewer Utility Fund to the General Fund; authorizing the City Manager to implement Budget amendments, revenue and/or expenditures to appropriate or inappropriate funds as required during the fiscal



year and to amend the prior fiscal year Budget to facilitate the year-end closing process, providing for repeal, severability and an effective date. Whereas the Budget of the City of North Miami, Florida (CITY) for the Fiscal Year commencing October 1<sup>st</sup>, 2013 and ending September 30<sup>th</sup>, 2014 as amended was considered at public hearings held on September 11<sup>th</sup>, 2013 and September 25<sup>th</sup>, 2013 as required by Chapter 200 Florida Statutes, and whereas the Mayor and City Council wish to approve and adopt the Budget of the City for the Fiscal Year beginning October 1<sup>st</sup>, 2013 and September 30<sup>th</sup>, 2014 and to authorize that this amount be raised by taxation for the operation of the City for the 2013-2014 Fiscal Year. Now therefore be it ordained by the Mayor and City Council of the City of North Miami, Florida that Section 1, Budget approved and adopted the Budget of the City of North Miami for Fiscal Year 2013-2014 Fiscal Year; as amended is hereby approved and adopted; Section 2, implement Budget amendments; the City Manager of the City of North Miami is hereby authorized to implement Budget amendments, revenue and/or expenditures by resolution to appropriate or unappropriate funds as required during the Fiscal Year and to amend the prior Fiscal Year Budget by resolution to facilitate the year-end closing process; Section 3, expenditure of funds appropriated in the authorized Budget; funds appropriated to the various departments in the Budget may be expended by the directors of each department by and with the approval of the City Manager in accordance with the provisions of the City Charter and applicable ordinances; expenditures of funds including but not limited to Enterprise Funds, Internal Service Funds and Expendable Trust Funds under circumstances in which additional revenues are generated by user fees or charges to offset the cost of supplying a service to residents or other City departments shall not be limited by estimated appropriations but rather by actual revenue and to that extent; the actual revenue received shall be deemed to be appropriated; Section 4, return on investment of water and sewer fund assets; the Budget includes a transfer from the water and sewer operation and maintenance fund to the General Fund representing the return on investment that taxpayers would receive if the utility were to be sold; the transfer for the 2013-2014 Fiscal Year is calculated at 5.0% of fixed assets as of September 30<sup>th</sup>, 2012; this transfer may be made annually but not to exceed 7.5% of utilities net fixed assets; Section 5, checks; all checks on City bank accounts shall be signed by any member of the City Council and the Finance Director; Section 6, amount of taxes; the approximate amount of \$16,294,270.00 shall be the amount of gross taxes to be raised by the operating ad valorem tax levy authorized by resolution of the City Council; Section 7, authority of Manager; the City Manager is authorized and directed to execute and deliver any and all documents and instruments and to do and cause to be done any and all acts and things necessary or proper for carrying out the transactions contemplated by this ordinance; Section 8; repeal; all ordinances or parts of ordinances in conflict or inconsistent are repealed; Section 9, severability, if any word, clause, phrase, sentence, paragraph or section of this ordinance is held to be invalid by a court of confident jurisdiction, such declaration of invalidity shall not affect any other word, clause, phrase, sentence, paragraph or section of this ordinance; Section 10, effective date; this ordinance shall become effective immediately upon Second Reading, passed and adopted by a 4-1 vote of the Mayor/Council of the City of North Miami on

First Reading this 11<sup>th</sup> day of September, 2013. Passed and adopted by a blank vote of the Mayor and City Council of the City of North Miami, Florida on Second Reading on this blank day of 2013. Which changes our General Fund Budget to \$58,506,539.00; total City Budget \$139,208,037.00.

Mayor Tondreau: Public Hearing is now open. Public Hearing is closed. Is there a motion to approve Tab B?

Councilwoman Steril: I make a motion to approve Tab B.

Mayor Tondreau: You have to speak to the Mic. Jackie can't hear you back there.

Councilwoman Steril: I move the motion to approve Tab B Madam Mayor.

Mayor Tondreau: Is there a second?

Councilman Bien-Aime: I second it.

Mayor Tondreau: Very good. Open for discussion, Councilwoman Keys?

Councilwoman Keys: What discussion was it?

Mayor Tondreau: I don't know.

Councilwoman Steril: We discuss and we fight.

Councilwoman Keys: Are we discussing or we're voting?

Mayor Tondreau: We can discuss and fight again.

Councilwoman Keys: You're fighting. I'm just not willing to deplete our Biscayne Landing reserves for an unallocated \$780,000 line item.

Mayor Tondreau: Very good. Mr. Clerk, roll call please.

#### ROLL CALL

Mayor Tondreau	Yes
Councilman Bien-Aime	Yes
Councilwoman Keys	No
Councilwoman Steril	Yes
Vice-Mayor Galvin	Yes



Mr. Etienne: Item passes 4-1 at 7:57 P.M.

**5. *ADJOURNMENT***

Mayor Tondreau: Any motion to adjourn?

Vice-Mayor Galvin: So moved.

Councilwoman Steril: Second it.

Mayor Tondreau: All in favor, AYE. Good night everybody. Thank you.